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## FACSIMILE TRANSMISSION

Total # of Pages 57 (including this page)

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United States Patent and Trademark Office Mail Stop AMENDMENT Examiner: C. Collins Art Unit: 1638	(703) 308-1202	(703) 872-9306

From : Barry S. Wilson

Date : April 6, 2004

Client/Matter No : 071344-0306

User ID No : 3067

## MESSAGE:

Re: U.S. Patent Application No. 09/491,322  
Our Ref.: EPI3007F (071344-0306)

Attached please find:

- Amendment Transmittal (3 pgs.); *Duplicate Copy Enclosed*
- Amendment (17 pgs.);
- Exhibit A (2 pgs.);
- Exhibit B (4 pgs.);
- Application Data Sheet (4 pgs.);
- Terminal Disclaimer for Patent No. 5,202,422 (3 pgs.);
- Appendix A (1 pg.);
- Appendix B (1 pg.);
- Terminal Disclaimer for Patent No. 5,369,947 (3 pgs.);
- Appendix A (1 pg.);
- Appendix B (1 pg.);
- Terminal Disclaimer for Patent No. 5,959,177 (4 pgs.);
- Appendix A (1 pg.);
- Appendix B (1 pg.);
- Appendix C (1 pg.);
- Terminal Disclaimer for Patent No. 6,417,429 (4 pgs.);
- Appendix A (1 pg.);
- Appendix B (1 pg.);
- Petition for three-month extension of time;
- Authorization to charge Deposit Acct. No. 50-0872 in the amount of \$695.00.

If there are any problems with this transmission or if you have not  
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Germaine Sarda
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Atty. Dkt. No. 071344-0306

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hein et al.  
Title: TRANSGENIC PLANTS  
EXPRESSING ASSEMBLED  
SECRETORY ANTIBODIES  
Appl. No.: 09/491,322  
Filing Date: 01/25/2000  
Examiner: C. Collilns  
Art Unit: 1638

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  _____ Germaine Sarda (Printed Name)  _____ (Signature)  _____ April 6, 2004 (Date of Deposit)
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**AMENDMENT TRANSMITTAL**

Mail Stop AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Enclosed please find:

- [ X ] Amendment (17 pages).
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Atty. Dkt. No. 071344-0306

- ☒ Appendix A (1 page).  
☒ Appendix B (1 page).  
☒ Appendix C (1 page).  
☒ Terminal Disclaimer for Patent No. 6,417,429 (4 pages).  
☒ Appendix A (1 page).  
☒ Appendix B (1 page).

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	60	-	78	=	0	x	\$18.00	=	\$0.00
Independent Claims:	3	-	5	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims: +									\$290.00 = \$0.00
CLAIMS FEE TOTAL									= \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$950.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$950.00
<input checked="" type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$440.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1390.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$695.00
TOTAL FEE:		\$695.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$695.00. A duplicate copy of this transmittal is enclosed.

Atty. Dkt. No. 071344-0306

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 6, 2004By Barry S. Wilson

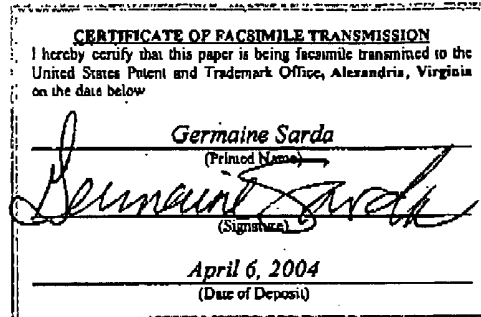
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San Diego, California 92138-0278  
Telephone: (858) 847-6722  
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Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

Atty. Dkt. No. 071344-0306

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Applicant: Hein et al.  
Title: TRANSGENIC PLANTS  
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☒ Appendix A (1 page).☒ Appendix B (1 page).☒ Appendix C (1 page).☒ Terminal Disclaimer for Patent No. 6,417,429 (4 pages).☒ Appendix A (1 page).☒ Appendix B (1 page).☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	60	-	78	=	0	x	\$18.00	=	\$0.00
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Respectfully submitted,

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Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

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Atty. Dkt. No.: EPI3007F  
(formerly TSRI 184.2C2)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APR 06 2004**

Applicant: Hein et al.  
  
Title: METHOD OF USE OF TRANSGENIC  
PLANT EXPRESSED ANTIBODIES  
(as amended)  
  
Appl. No.: 09/491,332  
  
Filing Date: 01/25/00  
  
Examiner: C. Collins  
  
Art Unit: 1638

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**AMENDMENT**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office Action mailed October 6, 2003.

The claims begin on page 2 of this submission; Remarks begin on page 10.